

application, and submitted herewith is a Terminal Disclaimer in compliance with 37 CFR 3.73(b). The Applicant respectfully submits that the Terminal Disclaimer submitted herewith renders moot the double patenting rejection and requests withdrawal of the rejection.

The Applicant additionally notes that Supplemental Information Disclosure Statements were submitted in connection with the present application on March 25, 2004, and on September 2, 2004. Copies of post cards indicating that these Supplemental Information Disclosure Statements were received at the Patent Office on March 29, 2004, and September 7, 2005, respectively, are submitted herewith.

The Examiner has not acknowledged that these March 25 and September 2 Supplemental Information Disclosure Statements have been considered. The Applicant respectfully requests that the Examiner acknowledge that the March 25 and September 2 Supplemental Information Disclosure Statements have been considered.

Given the foregoing, the Applicant respectfully submits that currently pending claims 1-3 are in condition for allowance, and such allowance is respectfully requested. If there is any matter which could be expedited by consultation with the Applicant's attorney, such would be welcome. The Applicant's attorney can normally be reached at the telephone number below.

Signed at Bellingham, County of Whatcom, State of Washington this 2nd day of February, 2006.

Respectfully submitted,

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CERTIFICATE OF MAILING  
37 C.F.R. §1.8

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service as first class mail in an envelope addressed to Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Signature: Susie Hubka

Print Name: Susie Hubka

Date: February 2, 2006